

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ALLENE PURVIS,)	
)	
Plaintiff,)	
)	
v.)	Case No. _____
)	
DILLARD’S, INC.)	
)	
Defendant.)	
)	

NOTICE OF REMOVAL

TO: The Judges of the United States District Court for the Northern District of Georgia

The Defendant, Dillard’s, Inc., respectfully shows the Court the following:

1.

A civil action has been brought against the Defendant in the State Court of Gwinnett County, State of Georgia, by the above named Plaintiff, said action being designated as Civil Action No. 23-C-02933-S3. Said action seeks recovery of an amount, although not specifically enumerated in the Complaint, in excess of \$75,000.00. The conclusion that the amount in controversy in this action is in excess of \$75,000.00 is based on the following known facts and calculations:

a) Before filing suit, in a 4-page written demand, Plaintiff asserted and outlined in detail that she seeks to recover more than \$300,000.00 from the Defendant in this action.

2.

The Plaintiff is now, and was at the commencement of this suit and at all times since, a citizen and resident of the State of Georgia.

3.

Defendant Dillard's, Inc., a Delaware corporation, is now, and was at the time of the commencement of this suit and at all times since, a corporation organized and existing under the laws of the State of Delaware, and having its principal place of business in Little Rock, Arkansas. Defendant Dillard's, Inc. agrees and consents to the removal of this action to Federal Court.

4.

The Defendant attaches hereto a copy of the Summons and Complaint (as served on the Defendant) filed in the State Court of Gwinnett County, Georgia marked as Exhibit "A"; and a copy of the Defendant's Answer to Plaintiff's Complaint for Damages marked as Exhibit "B".

5.

Now, within thirty (30) days after receipt of the Summons and Complaint, Defendants file this their Notice of Removal of said action to this Court.

6.

This action is removable by reason of diversity of citizenship of the parties and the fact there is more than \$75,000.00 in controversy, exclusive of interest and costs.

WHEREFORE, the above-named Defendant Dillard's, Inc. files this its Notice of Removal of said cause to this Court.

Respectfully submitted this 18th day of May, 2023.

WEBB, ZSCHUNKE, NEARY
& DIKEMAN, LLP

By: /s/ Marvin D. Dikeman
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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing **NOTICE OF REMOVAL** (prepared in Times New Roman 14 point font) with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorney of record:

John L. Johnson, Esq.
Foy & Associates, P.C.
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Atlanta, GA 30326
JLJohnson@johnfoy.com

This 18th day of May, 2023.

/s/ Marvin D. Dikeman
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